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SEP 20 1984
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No. 83-1834

In the Supreme Court of the United States

October Term, 1983

MARY ANNE ROBERTSON,
Petitioner,

vs.

FLORIDA BOARD OF BAR EXAMINERS,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE SUPREME COURT OF FLORIDA

REPLY BRIEF AND SUPPLEMENTAL APPENDIX OF PETITIONER

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INTRODUCTORY STATEMENT

In her Petition for Writ of Certiorari to the Supreme Court of Florida, Mary Anne Robertson ("Robertson") argued that Item 28(b) on the application for admission to the Florida Bar constitutes an improper invasion of her federally-guaranteed right to privacy. Item 28(b) requires Florida Bar applicants to disclose all past "regular treatments"[1] for any "emotional disturbance" no matter how private and unrelated they may be to the applicant's fitness to be a lawyer or her *present* mental condition. No compelling state interest justifies so unnecessarily broad-ranging and intrusive an inquiry into the most intimate aspects of an applicant's private life. In fact, a comparison of Florida's policy with that of other states reveals that Florida employs the method *most* gratuitously intrusive of the privacy rights of bar applicants to investigate character and fitness. The Florida Board of Bar Examiners (the "Board") simply sidesteps this core issue in its Brief of Respondent in Opposition ("Opp. Br."); the Board thus never addresses the question actually raised by Robertson —why the overbroad Item 28(b) is necessary to secure the Board's interest in accurately assessing the character and fitness of bar applicants (Opp. Br. at 3-4).

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1. At the time Robertson submitted her application to the Florida Bar, "regular treatment" was defined as *two* or more consultations in any twelve-month period. The term has since been redefined as *four* or more consultations in the same time period.

ARGUMENT

The Board makes two arguments for denying the writ of certiorari sought: (i) Robertson's "voluntary" response to Item 28(b) renders the case moot (Opp. Br. at 6-8) and (ii) the Florida Supreme Court did not decide a substantial federal question, or, in the alternative, did so in harmony with applicable decisions of this Court (Opp. Br. at 9-12). Neither of these arguments was made or adopted by the Florida Supreme Court in its decision. As will be shown below, both arguments lack any merit.

I. THIS CASE IS NOT MOOT

The Board contends that Robertson's "voluntary amendment of her application [answering Item 28(b)] and subsequent admission to the Florida Bar" render her claim moot (Opp. Br. at 7). The Board suggests that since Robertson herself will never again be called upon to answer Item 28(b), the fact that she did not bring this action on behalf of a class means "she retains no interest in the issue she seeks to bring before the Court" (Opp. Br. at 8). The Board's argument betrays a complete misunderstanding both of the privacy violation of which Robertson complains and of the Board's own application and appeal procedures.

A. The Board's Invasion Of Privacy Is A Continuing Wrong Which Presents An Actual Controversy For This Court's Determination.

Robertson's response to Item 28(b) did not end this controversy. Her release of private information to the Board only *began* the Board's invasion of her privacy. Privacy interests are considered "a continuum which can

be further invaded with each passing day by a single and unchanging encroachment." *United States v. Hubbard,* 650 F.2d 293, 319 n. 99 (D.C. Cir. 1980). So long as the Board retains Robertson's response to Item 28(b) in its files, her privacy right is being infringed. *See McKenna v. Fargo,* 510 F.2d 1179, 1182 (3d Cir. 1975). The possibility always exists that others who have not yet read Robertson's response to Item 28(b) will read it. The Board is not a static entity; its membership—and thus those individuals with access to applicant files—changes regularly. *See, e. g., Walter v. United States,* 447 U.S. 649, 659 n. 13 (1980) ("A partial invasion of privacy cannot automatically justify a total invasion."); *Cell Associates, Inc. v. National Institutes of Health, Department of Health Education and Welfare,* 579 F.2d 1155, 1157 (9th Cir. 1978) (Privacy Act claim not mooted by public disclosure of materials and widespread comment by press).

The Board stresses that Article I, Section 14 of the Rules of the Supreme Court of Florida Relating to Admission to the Bar "provides guidelines insuring the confidentiality of all information maintained by the Board" (Opp. Br. at 10 n. 9). However, the Board does *not* reveal to this Court that at the time it filed its brief in this case, it was seeking, in the Florida Supreme Court, to *change the rules regarding the confidentiality of applicant files.* The Board sought to make an applicant's file "a public record in the Supreme Court of Florida" whenever an applicant petitioned the Florida Supreme Court "to obtain a review of the Board's recommendation regarding character and fitness." Subsequent to the Board's filing of its brief in this case, the Florida Supreme Court declined to adopt the proposed rule change. *See Florida Board of Bar Examiners: Re: Amendment to Rules Relating to Admission to the Bar, Article III, Section 4*

(*Character and Fitness*), ... So.2d ....., 9 Fla.L.Wkly. 225 (Fla. 1984). The Board's effort to change its rules nonetheless underscores the fact that the threat to Robertson's privacy is very much alive.[2]

B. The Board Cannot Employ Its Own Procedures Against Robertson In Order To Render Her Claim Moot.

The Board claims that Robertson's case is moot because she "voluntarily" answered Item 28(b). Even were the invasion of Robertson's privacy not an ongoing violation of her rights constituting a live controversy, the Board would be wrong. Having, in effect, forced Robertson to "voluntarily" respond to Item 28(b), the Board is precluded from arguing that her case is now moot simply because she responded under pressure.

In its brief before this Court, the Board admits, among other things, (i) that it normally takes six to eight months for the Board to complete a character investigation (Opp. Br. at 7 n. 7) and (ii) that it refused to begin its investigation of Robertson until she answered Item 28(b) (Opp.

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2. None of the cases cited by the Board for the proposition that Robertson's response to Item 28(b) renders her claim moot concerns a claimed invasion of privacy; rather each concerns a discrete wrong beyond the reach of the particular court to remedy. *E.g., DeFunis v. Odegaard*, 416 U.S. 312 (1974) (plaintiff challenging admissions process was graduated from law school); *Nestler v. Board of Law Examiners*, 611 F.2d 1380 (4th Cir. 1980) (plaintiffs challenging bar admission policies on due process grounds admitted to bar); *Gomes v. Rhode Island Interscholastic League*, 604 F.2d 733 (1st Cir. 1979) (plaintiff challenging rule against male participation in high school volleyball competition was graduated from high school).

Here, the Court has a remedy available to satisfy Robertson's claim. The Court can order the private material expunged from Robertson's bar file and declare Item 28(b) unconstitutional because it violates applicants' right to privacy. Robertson requested that remedy. The Florida Supreme Court declined to grant it.

Br. at 4). In no phase of this litigation has the Board ever explained *why* it could not, or would not, begin the investigative process until completion of Item 28(b). The Board simply gave Robertson an ultimatum: she could either answer Item 28(b) and proceed in timely fashion, or refuse to answer and maintain her challenge, thus risking an indefinite delay in the Board's initiation of its time-consuming investigative process and thereby in the start of her legal career. Robertson cannot now be penalized simply because she refused to give up her career for *a period of years* in order to pursue her claim. *See, e.g., Steffel v. Thompson,* 415 U.S. 452, 459 (1974) (petitioner need not "first expose himself to actual arrest or prosecution to be entitled to challenge a statute that he claims deters the exercise of his constitutional rights").

The Board further suggests that had Robertson brought her claim on behalf of a class rather than simply as an individual, the fact that *she* answered Item 28(b) would not have rendered the claim moot for the class. But the Board's argument ignores the unique procedural posture of this bar challenge case. This action is not a traditional adversarial proceeding. Robertson did not file suit against the Board. Rather, she petitioned the Florida Supreme Court for review of the Board's determination that she had to answer Item 28(b) pursuant to the procedure established for such review in the Rules of the [Florida] Supreme Court Relating to Admissions to the Bar. Thus, Robertson had no opportunity to bring her challenge as a class suit. If the Board were correct, and Robertson's claim were moot as to her and thus moot in general, petitioners such as Robertson—unable to protect their claims by bringing them as class actions—would always be denied meaningful review. The Board cannot take advantage of its own procedures in this way to deny Robertson her day in court.

II. ROBERTSON'S CLAIM OF INVASION OF PRIVACY RAISES A SUBSTANTIAL FEDERAL QUESTION MERITING THIS COURT'S REVIEW

The Board argues that the issue "whether Item 28(b) violates a bar applicant's constitutional right of privacy . . . presents an unsubstantial federal question" and that Robertson's Petition for Writ of Certiorari should therefore be denied. The decision of the Florida Supreme Court in *Florida Board of Bar Examiners re: Applicant*, 443 So.2d 71 (Fla. 1983) ("Board of Bar Examiners I"), however, indicates quite explicitly that the Board is wrong on this point. The Florida Supreme Court clearly found "that the applicant's right of privacy is implicated by Item 28(b)." *Id.* at 74. The only issue for the court was whether the Board had shown both a compelling state interest and use of the least intrusive means available to preserve that interest. *Id.*

In the alternative, the Board contends that the decision below "is in harmony with the applicable decisions of this Court" and that Robertson's petition should be denied for this reason. Repeatedly the Board asserts that the state interest in ensuring that persons seeking admission to the bar are mentally and emotionally fit is a compelling one. Never, however, does the Board explain how Item 28(b) in any way serves that interest or why an inquiry as broad as Item 28(b) is needed. Instead, the Board claims (i) that the right to be free from governmental intrusion is irrelevant—despite Item 28(b)'s obvious intrusion into the traditionally private relationship of psychotherapist and patient, (ii) that the disclosural privacy right is not infringed because access to the applicant's file is strictly limited—despite the Board's own efforts to make the applicant's file a public record, *see supra*, and (iii)

that the decisional autonomy right is not implicated because matters of family and procreation are not involved —despite the fact that the counseling required to be disclosed by Item 28(b) quite likely deals with precisely such matters.[3] The Board's claim that the federal constitutional right to privacy is neither implicated nor, if implicated, infringed by Item 28(b) is frivolous.

CONCLUSION

For the foregoing reasons, the Petition for Writ of Certiorari to the Supreme Court of Florida should be granted.

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3. This case is very different from *Law Students Research Council v. Wadmond*, 401 U.S. 154 (1971), cited and relied upon by the Board. In *Wadmond*, the privacy claim rejected as "frivolous" concerned a question on a third-party affidavit which asked the affiant to state whether he had visited the applicant's home and, if so, how often. Such an inquiry is far removed from the instant case in which the applicant is required to divulge her past history of treatment for "emotional disturbance" and release the medical records—whatever their contents—concerning that treatment.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Brief of Petitioner was served by first class mail this 19th day of September, 1984, upon the following:

C. Graham Carothers
Post Office Box 391
Washington Square Building
Tallahassee, Florida 32302

PARKER D. THOMSON

FIFTY STATE SURVEY OF BAR APPLICATION QUESTIONS CONCERNING THE MENTAL AND EMOTIONAL FITNESS OF APPLICANTS TO PRACTICE LAW

ALABAMA

12. (a) Have you ever been committed or ever been a voluntary patient in any sanitarium, hospital, or mental institution, or ever been under the care of a physician or psychologist for the treatment of a nervous or mental illness? Yes ☐ No ☐

If YES, attach a statement giving full explanation, including name and address of doctor and institution. Have your doctor forward directly to us a statement as to your problem, the treatment, and his/her prognosis of your condition at the present time.

ALASKA

17. Guardianship or Commitment. Have you ever been under guardianship or declared a ward of any court (other than as a minor), or have you ever been declared incompetent? If yes, please explain:

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18. Disability. Have you ever had any disability or undergone treatment for any health problem that may

have a bearing upon your fitness to practice law (e.g., alcoholism or mental illness)? If yes, please explain:

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ARIZONA

13. (a) Have you ever been adjudged an incompetent, or a conservatee or protected person, or have any proceedings ever been brought for such purposes, or have you ever been treated or confined for mental or emotional disorders? .....
Yes or No

If your answer is yes, give full details, including but not limited to the name and locality of the court, if any, the date of proceeding, if any, the name and address of the institution, if any, and, if applicable, the name and address of the physician, the inclusive dates you were adjudged either an incompetent or conservatee or protected person, or committed to any institution.

ARKANSAS

(e) Have you ever been adjudicated an incompetent person, an insane person, or a lunatic by any court? ..... (Yes or No)

Give full details for (a), (b), (c), (d), and (e), including dates, the court, if any, reference to the court records,

if any, the facts, the disposition of the matter, and if no court records are available, give to the best of your ability the names and addresses of all persons involved, including counsel.

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(f) Are you now suffering or have you ever suffered from or been treated for any mental illness?
..... (Yes or No)

If your answer is yes, give the names and addresses of any doctors who have treated you and the names and addresses of any institutions in which you were hospitalized, either as a patient or an out-patient. Also attach authorization addressed to each of the doctors and the institutions listed authorizing the giving to the Board any information concerning you.

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CALIFORNIA

13.1 Have you ever been adjudged an incompetent, or a conservatee, or have any proceedings ever been brought against you for such purposes, or have you ever been committed to any institution? Circle yes or no.

If YES, give full details below:

.....

.....

.....

I hereby authorize all educational institutions, governmental agencies and instrumentalities (including bar associations and bar examiners of other jurisdictions), my references, employers and business and professional associates (past and present), to release to the Committee of Bar Examiners any information, files, or records requested by the Committee in connection with the processing of this application. The foregoing release does not apply to matters communicated by me in confidence to any lawyer, spouse, physician, psychotherapist, sexual assault victim counselor or clergyman as to which I have a privilege of non-disclosure under the provisions of Chapter 4, Division 8 of the California Evidence Code.

COLORADO

27. Have you EVER received a diagnosis of amnesia, emotional disturbance, or nervous or mental disorder? (If YES, on a SEPARATE EXPLANATION PAGE describe all relevant circumstances, including, but not limited to, the names and addresses of the psychologists, psychiatrists or other medical practitioners who made such diagnosis.) ..... YES ..... NO

28. Have you EVER received regular treatment for amnesia, emotional disturbance, or nervous or mental disorder? (If YES, on a SEPARATE

EXPLANATION PAGE describe all relevant circumstances in detail, including, but not limited to, the names and addresses of the psychologists, psychiatrists or other medical practitioners who treated you. You may omit isolated instances of consultation for conditions of emotional stress or short term counseling for marital problems.) ..... YES ..... NO

29. During the last ten years, have you been voluntarily or involuntarily confined in a hospital for treatment of mental, emotional or nervous disorders? (If YES, on a SEPARATE EXPLANATION PAGE describe in detail all relevant circumstances, including, but not limited to, the nature of the disorder, the dates and place of confinement, the names and addresses of the treating medical practitioner, and the prescribed treatment.) ..... YES ..... NO

30. Have you EVER been declared legally incompetent? (If YES, on a SEPARATE EXPLANATION PAGE describe all relevant circumstances, including, but not limited to, the date and court.) ..... YES ..... NO

CONNECTICUT

15. (A) Have you ever been adjudicated an insane or incompetent person? If so, explain.

DELAWARE

28. Have you ever been declared legally incompetent? ..... Yes ..... No If yes, please give full details as to court, date and circumstances.

29. (a) Have you ever received diagnosis of amnesia, or any form of insanity, emotional disturbance, nervous or mental disorder? ..... Yes ..... No If yes, please state the names and addresses of the psychologists, psychiatrists, or other medical practitioners who made such diagnosis.

DISTRICT OF COLUMBIA

(c) Have you ever been adjudicated an insane or incompetent person by any court? .....
(Yes or No)

If yes, give full details.

.....

.....

FLORIDA

(a) Have you ever received diagnosis of amnesia, or any form of insanity, emotional disturbance, nervous or mental disorder? ..... If yes, please state the names and addresses of the psychologists, psychiatrists, or other medical practitioners who made such diagnosis.

(b) Have you ever received REGULAR treatment for amnesia, or any form of insanity, emotional disturbance, nervous or mental disorder? ..... If yes, please state the names and addresses of the psychologists, psychiatrists, or other medical practitioners who treated you. (Regular treatment shall mean consultation with any such person more than two times within any 12 month period.)

I have directed each of the foregoing doctors and hospitals to furnish to the Board any information the Board may request with respect to any such treatment.

GEORGIA

Have you ever been declared legally incompetent? .....
If so, give full details as to court, date and circumstances.

Have you ever received diagnosis of amnesia, emotional disturbance, nervous or mental disorder? ..... If so, state the names and addresses of the psychologists, psychiatrists, or other medical practitioners who made such diagnosis.

Have you ever received regular treatment for amnesia, emotional disturbance, nervous or mental disorder? .....
If so, state the names and complete addresses of the psychologists, psychiatrists or other medical practitioners who treated you. (THIS QUESTION IS NOT INTENDED TO APPLY TO ISOLATED INSTANCES OF CONSULTATION FOR CONDITIONS OF EMOTIONAL STRESS.)

I have directed each of the foregoing doctors and hospitals to furnish to the Board any information the Board may request with respect to any such treatment.

HAWAII

16. Have you ever been judicially declared incompetent? ....
Yes No

If so, state the facts fully.

IDAHO

(c) Have you ever been declared a ward of any court or adjudicated an incompetent person, an insane person or a lunatic by any court, or has any proceeding ever been instituted making any such charge against you? ..... (Yes or No).

ILLINOIS

(f) Have you ever been adjudged incompetent or insane by any court? .....

INDIANA

No question.

IOWA

10. Have you ever been duly adjudicated a mentally incapacitated person or committed to an institution or hospitalized for treatment of mental incapacity? ..... If "yes", give pertinent dates, names and addresses of institutions or hospitals, and doctors.

KANSAS

d. Have you ever been hospitalized or institutionalized for reasons of mental health? ..... (Yes or No)

e. Have you ever been adjudged a mentally incapacitated person or placed under guardianship or conservatorship, or declared a ward of the Court, for reasons other than minority? ..... (Yes or No)

If any of these questions, b-e, or any part thereof, is answered in the affirmative, attach a statement giving details, circumstances, names of doctors who treated you, hospitals in which treatment received, and dates of treatment.)

KENTUCKY

13. Have you ever been judicially declared incompetent?

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(yes or no)

If so, state the facts fully.

LOUISIANA

20. Have you ever been hospitalized in either a private or public institution because of any mental condition or disorder? .....

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21. If so, state when, where and give the names and addresses of all doctors who treated you. .....

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.....

MAINE

7.

(c) Have you ever been adjudged incapable of managing your own affairs for any reason other than minority? YES ☐ NO ☐

If your answer to any of the above subsections is YES, furnish full information including:

.....

Date Court Nature of Proceedings Disposition

.....

.....

11. (a) Have you ever been a patient of a doctor or as an in-patient or an out-patient in any sanitarium, hospital, or mental institution for the treatment of mental illness? YES ☐ NO ☐ If so, please attach a statement, giving a full explanation including the name and address of the doctor and the institution.

MARYLAND

14. (a) Have you within the past ten years ever been a voluntary patient in any sanitarium, hospital or mental institution for the treatment of a mental illness?

.....

Yes or No

If so, attach statement giving full explanation, including name and address of doctor and institution.

I have directed each of the foregoing doctors to furnish directly to the Board any information requested by the Board in respect to any such treatment.

MASSACHUSETTS

18. Have you ever been judicially declared incompetent?

.....

(yes or no)

If so, state the facts fully.

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MICHIGAN

19. Have you ever been:

f. Placed under guardianship or declared a ward of any court (other than as a minor), or have you ever been declared incompetent or committed to or confined in any institution?

MINNESOTA

18. Have you ever been committed or ever been a voluntary patient in any sanitarium, hospital, or mental institution, or ever been under the care of a physician or psychologist for the treatment of a nervous or mental illness? ..... If so, attach statement giving full explanation, including name and address of doctor and institution.
(Yes or No)

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MISSISSIPPI

(13) (a) Within the last 5 years have you been committed or been a voluntary patient in any sanitarium, hopsital, or mental institution for the treatment of an emotional or mental problem, or within the past 5 years been under the care of a phychiatrist or psychologist for the treatment of an emotional or mental problem? ☐ Yes ☐ No If so attach statement giving a brief explanation, including name and address of the doctor and institution.

MISSOURI

HAVE YOU EVER BEEN:
(ANSWER YES OR NO)

25. Under guardianship, declared a ward of a court, or declared incompetent because of mental illness or condition, or committed, confined or treated in any institution for mental illness? .....

MONTANA

15. Have you ever been under guardianship or declared a ward of any court (other than as a minor) or have you ever been declared incompetent or committed to or confined in any mental institution within the past five years?

16. Have you ever had any physical or mental disability or undergone treatment for any health problem having a bearing upon your fitness to practice law within the past five years?

NEBRASKA

6. The following questions are truthfully answered from my own knowledge:

c.

(5) Have you ever been adjudicated an incompetent or insane person by any court? (Yes or No) .....

NEW JERSEY

C. Have you ever been hospitalized or institutionalized for the treatment of emotional, mental or nervous disorders? ..... If yes, give names of treating
Yes or No
physicians, therapists or counsellors, dates and places of in-patient therapy and other details.

NEW MEXICO

17.

(e) Have you ever been adjudicated an incompetent person, an insane person or a lunatic by any court? .....
Yes or No

19. Have you ever been a voluntary patient in any sanitarium, hospital or mental institution for the treatment of a mental illness ..... If so, attach
Yes or No
statement giving full explanation, including name and address of doctor and institution.

NEW YORK

18. State whether you have

(c) since attaining the age of 18, been adjudged an incompetent, or had proceedings brought to have you adjudged an incompetent, or been committed to or been a patient in any institution for the care of persons suffering from mental or nervous disorders or drug addiction, drug abuse or alcoholism ....

If you answer is "Yes" to any subdivision of this question, indicate the subdivision and state the facts as fully as possible, giving in each instance the name and locality of the court or agency, the approximate date of the action or proceeding and the judgment or other disposition.

NEVADA

Have you ever been declared a ward of any court or been adjudicated an incompetent person, a mentally diseased person or an insane person by any Court? ☐ Yes ☐ No
If yes, give full particulars including names, dates, places and courts.

Have you ever been treated privately for a mental illness or disease or been committed to any institutions or been a voluntary patient in any sanitorium, hospital or mental institution for the treatment of a mental disease, drug addiction or alcoholism? ☐ Yes ☐ No If so, give details, including description of disease or illness, dates, names and addresses of doctors and institutions.

NORTH CAROLINA

17. Have you ever received regular treatment for amnesia, of any form of insanity, emotional disturbance, nervous or mental disorder? ..... If so, please state

Yes or No

the names and addresses of the psychologists, psychiatrists, or other medical practitioners who treated you. (This question is not intended to apply to isolated instances of consultation for conditions of emotional stress.)

NORTH DAKOTA

20. Have you ever been treated or confined for mental or emotional disorders, adjudged incompetent or insane by any court or declared a ward of the court? .....

If so, give details.

OHIO

12. State whether you have been, or presently are:

(c) treated for mental illness .....

(d) adjudged incompetent by any court .....

(e) committed to or confined in any mental or correctional institution .....

OKLAHOMA

HEALTH:

8.

d. Have you ever been a patient of a mental institution or other similar hospital or institution? ..... (Yes or No)

e. Have you ever been afflicted with or received treatment for amnesia, or any form of insanity or mental disorder, or suffered from any mental illness? ..... (Yes or No)

f. Have you ever been under guardianship or declared a ward of the Court, other than a minor, or declared incompetent? ..... (Yes or No)

g. Do you give your consent for the doctor who treated you to furnish to the Board of Bar Examiners any information requested by the Board in respect to such treatment ..... (Yes or No)

(If any of these questions, b-f, or any part thereof, is answered in the affirmative, attach a statement giving details, circumstances, names of doctors who treated you, hospitals in which treatment was received, and dates of treatment).

OREGON

16. If your answer to any of the portions of question 16 is "yes," attach a separate sheet of paper to this application, in duplicate, with a full explanation of the circumstances which required that you give an affirmative answer to that portion of the question. Be as complete and detailed as you can. If the information is not sufficiently complete and detailed to give the Board of Bar Examiners a full understanding of the circumstances, your application will not be considered complete until you provide the necessary additional information. If your explanation refers to a court case or administrative proceeding, give the number of the case or proceeding and sufficient information so that the Board of Bar Examiners can locate the record.

(h) Has any proceeding ever been instituted to declare you a ward of court or adjudicated an incompetent person, an insane person or a mentally diseased person? Yes ..... No .....

(l) Have you ever undergone emotional, psychological or psychiatric diagnosis or treatment? Yes ..... No .....

PENNSYLVANIA

11. Have you within the last (3) years:

(a) undergone treatment or been committed to an institution for the treatment of mental illness? ☐ Yes ☐ No

RHODE ISLAND

(e) Have you ever been adjudicated an incompetent person, an insane person or a lunatic by any court?

.....

Yes or No

SOUTH CAROLINA

19.

(c) Have you ever been declared legally incompetent? ....

Yes or No

If so, please give full details as to Court, date, and circumstances. .....

.....

.....

.....

(d) Have you ever received treatment for amnesia, or any form of insanity, emotional disturbance, or mental disorder? ....

Yes or No

If so, please state the names and addresses of the psychologist, psychiatrist, or other medical practitioner

who treated you and list any medications prescribed or taken in the last twelve months. .....

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SOUTH DAKOTA

(b) Have you ever been declared a ward of any court, or adjudged an incompetent, or a conservatee, or have any proceedings ever been brought for such purposes, or have you ever been committed to any institution? Yes ..... No .....

If your answer is yes, give full details including the name and locality of the court, if any, the date of proceeding, if any, the name and address of the institution, if any, and, if applicable, the inclusive dates you were a ward of the court, or adjudged either an incompetent or conservatee, or committed to any institution. .....

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TENNESSEE

14. Have you ever been judicially declared incompetent?

.....

(yes or no)

If so, state the facts fully.

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TEXAS

11. Have you, within the last ten years:

(a) Been examined or treated for mental, emotional or nervous disorders? ....

(yes or no)

(b) Been voluntarily or involuntarily committed to a hospital or institution as a result of mental, emotional or nervous disorders? .....

(yes or no)

If you answer either (a) or (b) "YES," give details, including dates of treatment or confinement, where treated and by whom, and your reason for seeking treatment.

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.....

UTAH

9. Have you ever been a patient in any sanitarium, hospital or mental institution for the treatment of a mental illness? ..... If so, attach statement giving full explanation, including name and address of doctor and institution.

12.

(f) Have you ever been adjudicated an incompetent person, an insane person or a lunatic by any court? .....

VERMONT

Please answer the following questions. If you answer yes to any question please explain in detail on the lines immediately following the questions.

YES NO

☐ ☐ Have you ever been adjudged to be insane or incompetent person by any court?

VIRGINIA

18. Have you ever been judicially declared incompetent?
.....
(yes or no)

If so, state the facts fully.

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WASHINGTON

K. Have you undergone treatment for any psychiatric problem, or for alcoholism or other drug dependency, during the past 5 years? If yes, give full details on an attached sheet? YES NO

WEST VIRGINIA

"Have you ever been a voluntary patient in any sanitarium, hospital or mental institution for the treatment of a mental illness. ..... If so, attach statement giving full explanation, including name and address of doctor and institution."

WISCONSIN

27. (a) Have you ever been judicially declared incompetent?

..... Yes ..... No

(b) Are you presently the subject of any such proceedings?

..... Yes ..... No

WYOMING

28. Has Petitioner ever been declared a ward of any court, adjudicated an incompetent or insane person, or been addicted to or undergone treatment for the use of narcotics, drugs, or the excessive use of intoxicating liquors. ..... (Answer yes or no).